

October 8, 2002

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT
AND AUTHORIZATION OF GRAND AVENUE AND ENVIRONS PROJECT
(FIRST DISTRICT, 3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consider the proposed Final Environmental Impact Report (EIR), including the comments received and responses thereto; find that the Final EIR reflects the independent judgment and analysis of the County; certify that the Final EIR has been completed in compliance with the California Environmental Quality Act (CEQA) and that your Board has reviewed and considered the information contained therein in its decision-making process prior to approving the project; and adopt the enclosed Environmental Findings of Fact and Statement of Overriding Considerations for the Grand Avenue and Environs Project.
2. Adopt the Mitigation Monitoring and Reporting Program included in the Final EIR as a condition of the project to mitigate, reduce or avoid significant effects to the environment.
3. Find that the Grand Avenue and Environs Project will have no adverse effect on wildlife resources and authorize the Chief Administrative Officer or his designee to complete and file a Certificate of Fee Exemption for the project.
4. Approve the project and authorize the Chief Administrative Officer or his designee to carry out the project.

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PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will fulfill the requirements of the California Environmental Quality Act (CEQA) for the Grand Avenue and Environs Project and authorize the proposed Project to proceed.

The Grand Avenue and Environs Project is intended to create a more welcoming environment for the community and visitors to the Music Center campus, as well as to the County of Los Angeles Mall, Walt Disney Concert Hall (scheduled to open in 2003) and the recently completed Cathedral of Our Lady of the Angels. The proposed Project consists of three distinct elements, which are further described below:

- Grand Avenue Realignment
- County Mall Pedestrian Improvements
- Music Center Improvements

The attached Final Environmental Impact Report (EIR), consisting of three volumes, has been prepared in accordance with CEQA and is presented to your Board for consideration in your decision-making process in approving the proposed Project. In addition, we are recommending your Board adopt the Mitigation Monitoring Program included in Volume III of the Final EIR to ensure compliance with mitigation measures that have been identified to mitigate, reduce or avoid significant environmental effects and adopt the Findings of Fact and Statement of Overriding Consideration stating that the remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding benefits set forth in the Statement of Overriding Considerations.

Project Description

The Grand Avenue Realignment consists of the realignment of Grand Avenue from Temple Street to just south of Second Street and pedestrian improvements along the immediately adjacent sidewalk at street level. The improvements include replacing the existing sidewalks with wider sidewalks with an enhanced paving; removing and replacing street

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trees; installing new street and pedestrian lighting; replacing and/or adding benches, trash receptacles, bus shelters, newspaper racks and other street furniture; and renovating the landscaping, including creating a new “pocket park” at the northeast corner of First Street to be used for queuing of jurors and visitors to the County Courthouse.

The County Mall Pedestrian Improvements consist of access and staging improvements for the portion of the County of Los Angeles Mall facing Grand Avenue. These improvements include remodeling the existing steps from Grand Avenue to the Paseo de los Pobladores de Los Angeles and installing an elevator from Grand Avenue to the Paseo to provide direct universal access from the Metro Red Line Civic Center Station through the Paseo to Grand Avenue; and constructing a pedestrian bridge over the circular driveways for Parking Lot 18 and new cantilevered stairs into the Paseo from the balcony behind the circular driveways.

The Music Center Improvements consist of improvements to the exterior Music Center at street level and on the Plaza. The street level improvements include enhancing the Artists' Entrance to the Dorothy Chandler Pavilion; remodeling the staircase that connects Grand Avenue to the Music Center Plaza; remodeling the lower level restaurant space (Otto's); remodeling the pedestrian intersections and stairways at Temple Street and Grand Avenue and at First Street and Grand Avenue; and screening the loading dock for the Dorothy Chandler Pavilion. The Plaza improvements include creating new donor recognition opportunities; raising the depressed level of the Plaza to make it flush with fountain and porticos; creation of additional garden space; replacing the existing kiosks and adding two additional retail/food service opportunities; constructing a two-story education space in the vehicle turnout area that is currently chained off; relocating and upgrading the restroom facilities on the Plaza; upgrading the temporary storage area located on the backstage side of the Ahmanson Theatre; and resurfacing the Mark Taper Forum Reflecting Pools.

The improvements are more thoroughly described in the Final EIR.

The County and the Music Center have identified 17 specific objectives to support achievement of the Project's goal to create a more welcoming environment for the

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community and visitors. The various elements of the project will make Grand Avenue and the adjacent facilities more pedestrian-friendly and aesthetically pleasing. By doing so, the County and the Music Center hope to attract a greater diversity of patrons to the Music Center campus and create a more welcoming environment.

Final EIR, Findings of Fact and Statement of Overriding Consideration and Mitigation Monitoring Program

Based upon the Initial Study for the Grand Avenue and Environs Project, it was determined that the Project likely would have significant environmental effects on 11 environmental areas unless mitigation measures were incorporated as part of the Project to mitigate or avoid those significant effects. The 11 environmental areas are as follows: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation and traffic, and utilities and service systems.

Mitigation measures have been identified in the Final EIR to mitigate, reduce or avoid potentially significant effects on the environment from the proposed Project and are recommended as a condition of approval for the proposed Project. The Mitigation Monitoring Program has been prepared to ensure that the mitigation measures identified as a condition of the proposed Project are implemented as part of the proposed Project.

The identified mitigation measures are sufficient to reduce the impacts of the proposed Project to a level of insignificance for seven of the 11 environmental areas: aesthetics, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, public services, and utilities and service systems. However, even after mitigation, it has been determined that the proposed Project would still have a potential significant impact on air quality, noise and transportation and traffic during construction of the proposed Project and a potential significant impact on cultural resources from implementation of the proposed Project.

Short-term Significant Impacts During Construction: Air Quality, Noise and Transportation & Traffic

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Construction of the proposed Project, and specifically the Grand Avenue Realignment, is anticipated to generate short-term impacts during construction on air quality, noise and transportation and traffic.

The short-term impact on air quality is from the generation of nitrogen oxide emissions during construction. Although mitigation measures have been incorporated into the Project to reduce these emissions, the excess emissions cannot be reduced to a level of insignificance as defined by the South Coast Air Quality Management District.

Construction of the Grand Avenue Realignment element also is anticipated to generate short-term significant impacts on ambient noise levels during night-time hours and on ground-borne vibration. Although mitigation measures have been incorporated into the Project to reduce those impacts during construction, including a requirement that prohibits the use of heavy equipment within 500 feet of an active venue at the Music Center during performances, the ambient noise level is still anticipated to exceed the standards of the County's and City's noise ordinances during night-time hours and will still expose persons to ground-borne vibrations.

The realignment of Grand Avenue Realignment also will generate short-term significant impacts on traffic at three adjacent intersections and on wheelchair access along Grand Avenue between Temple and First Streets. Although mitigation measures have been incorporated into the Project to reduce those impacts, including provision of directional signage, the impact on the three intersections and on wheelchair access between Temple and First Streets is still considered significant

As part of the preparation of the Final EIR, the County determined that the only means of reducing these impacts below the level of significance would be to limit daily construction activities and extend the overall construction schedule. The County also analyzed an alternative to the proposed Project that would phase the construction activity as a means

of specifically reducing the impacts on air quality and on transportation and traffic. However, it was determined that the alternative, known as the Phased Construction Alternative, would not be able to reduce the levels of nitrogen oxides sufficiently to avoid the significant impact nor would it be able to reduce the level of service at the affected

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intersections or improve wheelchair access between Temple and First Streets sufficiently to avoid those significant impacts. The County also determined that the lengthened construction time required for the Phased Construction Alternative would be unacceptable in a downtown urban center along a major thoroughfare.

Therefore, the excess nitrogen oxide emissions, the exposure of persons to ground-borne vibration and excess ambient noise levels during night-time hours, and the impacts on traffic and wheelchair access during construction are considered unavoidable significant impacts of the proposed Project.

Significant Impacts From Implementation: Cultural Resources

During preparation of the draft EIR, the Los Angeles Conservancy expressed its opinion that the Music Center may be eligible for the National Register of Historic Places as an historic district. Although the County believes that the Music Center campus does not currently meet the criteria for treatment as an historic resource, in deference to the Conservancy's expressed concern, the County elected in the environmental document process to evaluate the proposed Project under the conservative assumption that the Music Center may be considered eligible as an historic district.

Under this assumption, implementation of the proposed Project, and specifically the Music Center Improvements, was determined to have a significant effect on the potential eligibility of the Music Center for the National Register of Historic Places or the California Register of Historical Resources. Although mitigation measures have been incorporated into the project, including preparation of a Historic American Buildings Survey and establishment of an interpretive program, the County and the Conservancy were unable to reach consensus that the proposed design of five elements of the Music Center Improvements met the criteria of the *Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*. As such, these elements (new donor recognition opportunities, lower level restaurant remodel, Grand Avenue staircase remodel, raising of the Plaza, and the new education space) were determined to be a significant impact.

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As part of the preparation of the Final EIR, the County analyzed an alternative to the proposed Project that would eliminate or change those elements of the proposed Project for which consensus could not be reached regarding their ability to comply with the *Secretary of Interior's Standards*. This alternative, known as the Cultural Resource Sensitive Alternative, would eliminate the raising of the Plaza and the education space from the proposed Project and allow for less extensive remodel of the lower level restaurant and Grand Avenue Staircase. Pursuant to the requirements of CEQA, the County has identified the Cultural Resource Sensitive Alternative as the Environmentally Superior Action Alternative.

The Cultural Resource Sensitive Alternative, however, fails to achieve seven of the 10 stated objectives for the Music Center Improvements element of the proposed Project, including:

- making the Music Center more welcoming to diverse audiences;
- better accommodating educational programming than currently occurs at the Music Center;
- improving the visibility of the Music Center from Grand Avenue to encourage use of the public open space provided by the Music Center Plaza;
- improving pedestrian access to the Music Center;
- creating outdoor performance areas in conjunction with the Music Center;
- improving Music Center operations (utility, infrastructure, storage, plaza surface); and
- improving pedestrian safety within the Music Center Plaza.

In addition, the Cultural Resource Sensitive Alternative would inhibit universal access across the Music Center Plaza.

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Recommended Actions

As the Phased Construction Alternative does not resolve the impacts on air quality, noise and transportation and traffic and would result in an extended construction schedule that would be unacceptable in the downtown area and the Cultural Resource Sensitive Alternative does not meet the vast majority of the stated objectives for the Music Center Improvements, we are recommending that your Board approve the proposed Project as described in the Final EIR. We are also recommending your Board adopt the attached Findings of Fact and Statement of Overriding Considerations stating that the remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding benefits set forth in the Statement of Overriding Considerations.

Implementation of Strategic Plan Goals

This project will meet the County's Strategic Plan Goal of Service Excellence by creating a more welcoming environment for the community and visitors to the Music Center campus, as well as the new Cathedral of Our Lady of the Angels and the County of Los Angeles Mall.

FISCAL IMPACT/FINANCING

Approval of these actions will have no impact on the County General Fund. All improvements considered as part of the Proposed Project will be funded from grant and/or private sources.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Certification of the Final EIR is required by the California Environmental Quality Act prior to your Board's approval of the project.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Certification of the Final EIR will have no impact on any current services or projects, but is required prior to construction or approval of the Project or any of its elements. The Final EIR and associated documents include mitigation measures to mitigate or reduce impacts on services and programs in the adjacent facilities.

ENVIRONMENTAL DOCUMENTATION

The draft EIR was prepared in accordance with CEQA and the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

On October 31, 2001, the County circulated a Notice of Preparation (NOP) for the draft EIR to the State Clearinghouse and to various federal, state, regional and local governmental agencies. In addition, the NOP was published pursuant to Section 21092 of the Public Resources Code in the *Los Angeles Times* and *the Daily News*. In addition, the County posted the NOP at the Music Center and at the County Mall and mailed the NOP to adjacent property owners. A community workshop and scoping meeting was conducted on November 19, 2001, and the public review period was closed on November 30, 2001. The County received a total of seven letters of comment on the NOP. The draft EIR considered the environmental issues identified in the letters of comment on the NOP.

The draft EIR was completed and forwarded to the State Office of Planning and Research on May 28, 2002. A Notice of Completion (NOC) was posted at both the State Office of Planning and Research and the County Clerk on the same day. A public Notice of Availability (NOA) was published in the *Los Angeles Times* and the *Daily News*, mailed directly to more than 350 interested parties and posted at the Music Center and the County Mall. Copies of the draft EIR were provided directly to various federal, state and local government agencies, as well as interested organizations. Copies of the draft EIR were also made available for public review at three City of Los Angeles libraries — Richard R. Riordan Central Library, Echo Park Branch Library and Chinatown Branch Library; at the County of Los Angeles Public Library, Anthony Quinn Branch Library; at the Music Center Security Counter; and at the Chief Administrative Office's Public Information Office.

Following a week of public review, the County received comments from the State Office of Historic Preservation concerning the Grand Avenue Staircase component of the project description for Music Center Improvements. Based on these comments, the Chief Administrative Office elected to modify the Grand Avenue Staircase component of the proposed Project. The affected sections of the draft EIR were recirculated for public review on June 18, 2002. It was further determined that the recirculation warranted an extension of the 45-day public review period and the period was extended until July 31, 2002. Notice of the recirculation was again published in the *Los Angeles Times* and the *Daily News*,

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posted at the Music Center and the County of Los Angeles Mall, and mailed to all the recipients of the draft EIR.

The County received a total of seven timely letters of comment on the draft EIR. The letters of comment, and the County's responses thereto, are included in Volume III of the Final EIR.

A fee must be paid to the State Department of Fish and Game when certain notices required by CEQA are filed with the County Clerk. The County is exempt from paying this fee when the Board finds that a project will have no impacts on wildlife resources. The Initial Study of Environmental Factors concluded there will be no adverse effects on wildlife resources. Upon approval of the draft EIR by your Board, the Department will file a Certificate of Fee Exemption with the County Clerk. A \$25 handling fee will be paid to the County Clerk for processing. We will also file a Notice of Determination in accordance with the requirements of CEQA.

CONCLUSION

Please return one adopted copy of this letter to the CAO (Capital Projects).

Respectfully submitted,

DAVID E. JANSSEN
Chief Administrative Officer

DEJ:SNY
JSE:KW:i/h

Attachment

c: County Counsel
Department of Public Works
Music Center

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bc: Department of Public Works Administration (Cargas) (w/o Enc.)
Department of Public Works Programs Development (Winter) (w/o Enc.)